

1 Peter E. Garrell, State Bar No. 155177  
2 CHRISTENSEN, MILLER, FINK, JACOBS,  
3 GLASER, WEIL & SHAPIRO, LLP  
4 2121 Avenue of the Stars, 18th Floor  
5 Los Angeles, California 90067  
6 (310) 553-3000

7  
8 Attorneys for Witness  
9 Sizzler International, Inc.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
BEFORE THE FEDERAL ELECTION COMMISSION

Forwarded Pursuant to the Confidentiality Provision of 2 U.S.C., § 437(g)(a)(12)(A)

In the Matter of ) MUR 4434  
)  
)  
)

**RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS  
AND ORDER TO SUBMIT WRITTEN ANSWERS**

PROPOUNDING PARTY : FEDERAL ELECTION COMMISSION

RESPONDING PARTY : WITNESS, SIZZLER INTERNATIONAL, INC.

Witness, Sizzler International, Inc. for itself and for no other witness responds to the Subpoena to Produce Documents and Order to Submit Written Answers served by the Federal Election Commission as follows:

**PRELIMINARY STATEMENT**

It should be noted that all of the responses contained herein are based only upon such information and documents which are presently available to and specifically known to this responding witness. The following responses are given without prejudice to this responding witness' right to produce evidence of any subsequently-discovered fact or facts which this responding witness may later recall. This responding witness accordingly reserves the right to change any and all responses

1 herein as additional facts are ascertained, analyzes are made, legal research is  
2 completed and contentions are made. The responses contained herein are made in a  
3 good faith effort to supply as much factual information as is presently known but  
4 should in no way be to the prejudice of this responding witness in relation to further  
5 discovery, research or analyzes. This preliminary statement is incorporated into each  
6 and every response set forth below:

7 **QUESTIONS AND PRODUCTION OF DOCUMENTS**

8 1. Produce all documents which refer, relate, or in any other way address  
9 the candidacy of Mark Sharpe in the 1994 general election, including, but not limited  
10 to, solicitations for contributions.

11 **Response No. 1:** After diligent search and reasonable inquiry, this witness is  
12 not in possession, custody or control of any documents responsive to this Request.

13 2. Identify all persons employed by you who received a solicitation for a  
14 contribution to Mark Sharpe for Congress. Identify all other persons who were aware  
15 of any such solicitation.

16 **Response No. 2:** After diligent search and reasonable inquiry, this witness is  
17 not aware of the identity of any persons responsive to this written question.

18 3. Provide a current address and phone number for Kate McGuigan.

19 **Response No. 3:** Kathryn T. McGuigan may be located at the offices of Sizzler  
20 U.S.A., Inc., 6101 West Centenila Avenue, Suite 200, Culver City, California, 90230;  
21 (310) 568-0135, ext. 3319.

22  
23 Dated: August 19, 1998

CHRISTENSEN, MILLER, FINK, JACOBS,  
GLASER, WEIL & SHAPIRO, LLP

24  
25 By \_\_\_\_\_  
26 Peter E. Garrell  
27 SIZZLER U.S.A., INC. fka SIZZLER  
28 INTERNATIONAL, INC

VERIFICATION

I, Kathryn T. McGuigan declare:

I am the Treasurer of Sizzler Good Government Fund, a witness in the within action, and have read the foregoing **RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS** and know the contents thereof. The same is true of my own knowledge, except as to the matters which are stated on my information or belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 1998 at \_\_\_\_\_,

\_\_\_\_\_  
Kathryn T. McGuigan

1 PROOF OF SERVICE BY MAIL

2 The undersigned hereby declares as follows:

3 I am employed at Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP, 2121  
4 Avenue of the Stars, 18th Floor, Los Angeles, California 90067, in the County of Los  
5 Angeles, State of California, and by a member of the Bar of this Court; I am over the age  
6 of eighteen years, and not a party to this action.

7 I am readily familiar with Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro,  
8 LLP practice for the collection and processing of correspondence for mailing with the  
9 United States Postal Service; that practice includes the affixation of fully prepaid  
10 postage and depositing with the United States Postal Service at Los Angeles,  
11 California, on the date of my submission for collection and processing pursuant to  
12 such regular business practice. Service made pursuant to this paragraph and, upon  
13 motion of a party served, shall be presumed invalid if the postal cancellation date or  
14 postage meter date on the envelope is more than one day after the date of deposit for  
15 mailing contained in this affidavit. Code Civ. Proc. § 1013a(3)(G)

16 On August 19, 1998, at the direction of a member of the Bar of this Court, I served  
17 the within **RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND ORDER TO**  
18 **SUBMIT WRITTEN ANSWERS** on the interested parties in this action, by placing a true  
19 copy thereof in an envelope addressed to each of said interested parties at the  
20 following addresses:

21 Office of the General Counsel  
22 Federal Election Commission  
23 999 E Street, N.W.  
24 Washington, D.C. 20463

25 and by then sealing said envelope and depositing the same for collection and  
26 processing pursuant to Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, LLP  
27 ordinary business practice at the above address. There is a regular communication  
28 between the place of mailing and the place so addressed.

I declare under penalty of perjury under the laws of the State of California and the  
United States of America that the foregoing is true and correct.

Executed on August 19, 1998, at Los Angeles, California.

\_\_\_\_\_  
Roberta Lynn